

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

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Evgeny A. Freidman, Vladimir Basin,
Mamed Dzhaniev, Victory Taxi Garage
Inc., Tunnel Taxi Management, LLC,
Downtown Taxi Management, LLC, Bazar
Taxi Inc. Patron Taxi LLC, Grappa Taxi
LLC, Cognac Taxi LLC, Calvados Taxi
LLC, Tequila Taxi LLC, Jack Daniels
Taxi LLC, Murzik Taxi Inc., Malinka
Taxi Inc., Yagodka Taxi Inc., Persik Taxi
Inc., Bratishka Taxi Inc., Pumo Taxi Inc.,
Piguet Taxi Inc., Kormilitsa Taxi Inc.,
Prada Taxi, Inc., Student Taxi, Inc., Hublot
Taxi Inc., Torpedo Taxi Inc., Black Label
Taxi LLC, Praga Taxi Inc., Two Hump Taxi
LLC, Kroshka Taxi Inc., Lacoste Taxi Inc.,
Sangria Taxi LLC, Volba Taxi Inc.,

Civil Action No. 1:08-CV-02458 (SAS)

SDNY ECF FILING

Plaintiffs,

v.

General Motors Corp., ElDorado
National, Inc., and Arcola Sales &
Service Corp.,

Defendants.

-----X
ELDORADO NATIONAL, INC.'S MOTION TO DISMISS PLAINTIFFS' COMPLAINT

PLEASE TAKE NOTICE THAT, upon the accompanying Memorandum of Law in Support of Defendant ElDorado National, Inc.'s Motion to Dismiss Complaint Pursuant to Federal Rules of Civil Procedure 12(b)(1) and 12(b)(6), and upon all other pleadings and proceedings had in this matter, Defendant ElDorado National, Inc., by and through its undersigned counsel, will move this Court before the Honorable Shira A. Scheindlin, United States District Judge, 500 Pearl Street, New York, New York, at such date and time as the Court

shall determine, for an Order granting the Motion to Dismiss and any further relief the Court may deem just and proper.

Dated: May 20, 2008
New York, New York

Respectfully submitted,

AKIN GUMP STRAUSS HAUER & FELD LLP

By: /s/ Robert H. Pees
Robert H. Pees
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**DECLARATION IN SUPPORT OF ELDORADO NATIONAL, INC.'S
MOTION TO DISMISS PLAINTIFFS' COMPLAINT**

I, ROBERT H. PEES, an attorney duly licensed to practice law before the United States District Court for the Southern District of New York, do hereby declare as follows:

1. I am a partner at the law firm of Akin Gump Strauss Hauer & Feld LLP, which represents Defendant ElDorado National Inc. in the above-captioned matter. I respectfully submit this Declaration in support of ElDorado National Inc.'s Motion to Dismiss Plaintiffs' Complaint.

2. I am familiar with the facts and circumstances of this case and make this Declaration on the basis of my own personal knowledge.

3. I certify that, by letter dated May 12, 2008 to William Fried, Esq., I advised Plaintiffs' counsel of ElDorado National Inc.'s intention to file this Motion to Dismiss and the grounds thereon, and further communication with Mr. Fried on that date confirmed that the issues presented in this Motion to Dismiss could not be resolved without judicial intervention.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct to the best of my knowledge, information and belief.

Dated: May 20, 2008
New York, New York

/s/ Robert H. Pees
Robert H. Pees

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CERTIFICATE OF SERVICE

I, Jamison A. Diehl, an attorney with the law firm of Akin Gump Strauss Hauer & Feld LLP, hereby certify that on May 20, 2008 I caused copies of ElDorado National, Inc.'s (i) Motion to Dismiss Plaintiffs' Complaint, (ii) Memorandum of Law In Support of Defendant ElDorado National Inc.'s Motion to Dismiss Complaint Pursuant to Federal Rules of Civil Procedure 12(b)(1) and 12(b)(6), and (iii) Corporate Disclosure Statement to be sent to the following individuals by first class mail:

William Fried, Esq.
Herrick, Feinstein, LLP
2 Park Avenue
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Paul H. Levinson, Esq.
McLaughlin & Stern, LLP
260 Madison Avenue, 18th Floor
New York, NY 10016

Dated: New York, New York
May 20, 2008

By: /s/ Jamison A. Diehl
Jamison A. Diehl